

**IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI**

DEBORAH BOSHANS,)	
)	
Plaintiff,)	
)	Cause No.
vs.)	
)	Division No.
SAFECO INSURANCE COMPANY)	
OF ILLINOIS,)	
)	Underinsured Motorist
SERVE: CSC- Lawyers)	In Excess of \$25,000.00
Incorporating Service)	but no more than \$75,000.00
221 Bolivar St.)	
Jefferson City, MO 65101)	
)	
Defendant.)	

PETITION FOR DAMAGES

COMES NOW, Plaintiff Deborah Boshans, by and through her counsel, and for her cause of action against Defendant Safeco Insurance Company of Illinois states as follows:

ALLEGATIONS COMMON TO ALL COUNTS

1. At the time of the acts complained of herein and at all times mentioned, Plaintiff Deborah Boshans (hereinafter "Plaintiff") is an individual and resident of the state of Missouri.
2. That Defendant Safeco Insurance Company of Illinois (hereinafter "Defendant") is now and was at all relevant times herein an insurance company duly authorized and licensed to do business in the State of Missouri.
3. That on or about January 11, 2016, Plaintiff was operating a vehicle travelling northbound on McCausland Avenue in the City of St. Louis,

Missouri, when Plaintiff's vehicle was struck on the front left side by an underinsured driver travelling southbound on McCausland Avenue.

4. That the aforesaid collision was the direct and proximate result of the negligence and carelessness of said underinsured driver in the following respects to-wit:
 - a) Said driver was inattentive and failed to keep a careful lookout; or
 - b) Said driver failed to yield to Plaintiff's vehicle; or
 - c) Said driver drove at a rate of speed above the applicable minimum limit; or
 - d) Said driver failed to keep a safe distance between their vehicle and the vehicle driven by Plaintiff; or
 - e) Said driver knew or by the highest degree of care could have known that there was a reasonable likelihood of collision in time thereafter to have stopped, and/or swerved, and/or slackened speed, and/or sounded a warning, but driver failed to do so.
5. That as a direct and proximate result of the aforesaid negligence and carelessness of said underinsured driver, Plaintiff was caused to suffer injuries to her neck, upper back, shoulders, right leg, and the bones, joints, muscles, tendons, tissues, nerves, membranes, ligaments, skin and parts thereof were seriously bruised, contused, sprained, strained fractured, and made painful. That Plaintiff's injuries are serious, painful, and disabling, and will continue to be so in the future. Plaintiff has incurred medical expenses in the approximate amount of \$32,000.00 dollars and will incur additional medical expenses in the future. That plaintiff has suffered loss of income and earning capacity.

6. That on January 11, 2016, Plaintiff was insured for the aforesaid mentioned occurrence by Defendant insurance company under a policy issued to the Plaintiff. That said policy contained underinsured motorist coverage. That said policy was in full force and effect on January 11, 2016.
7. That Plaintiff has performed all conditions precedent under said insurance policy.
8. Venue is proper under §508.010.4

WHEREFORE, Plaintiff prays judgment against Defendant, in an amount that is fair and reasonable in excess of Twenty-Five Thousand (\$25,000.00) Dollars, but less than Seventy-Five Thousand (\$75,000.00) Dollars together with her costs herein expended and for any other relief that this Court deems necessary and just.

Respectfully submitted,


**MANDEL, MANDEL,
MARSH, SUDEKUM, & SANGER**

By: /s/ Daniel J. Marsh Jr.
Daniel J. Marsh, #45807
1010 Market Street, 8th Floor
St. Louis, MO 63101
PH: (314) 621-1701
FX: (314) 621-4800
dan@mandelmandel.com



Judge or Division: REX M BURLISON	Case Number: 2022-CC09787	Special Process Server 1
Plaintiff/Petitioner: DEBORAH BOSHANS	Plaintiff's/Petitioner's Attorney/Address DANIEL JOSEPH MARSH JR. 1010 MARKET STREET SUITE 850 ST. LOUIS, MO 63101	Special Process Server 2
Defendant/Respondent: SAFECO INSURANCE COMPANY OF ILLINOIS	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	Special Process Server 3
Nature of Suit: CC Pers Injury-Vehicular		(Date File Stamp)

Alias Summons in Civil Case

<p>The State of Missouri to: SAFECO INSURANCE COMPANY OF ILLINOIS Alias: CSC LAWYERS INC SERVICE CO 221 BOLIVAR STREET JEFFERSON CITY, MO 65101 COURT SEAL OF</p>  <p>CITY OF ST LOUIS</p>	<p>COLE COUNTY</p> <p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p>November 10, 2020</p> <p>_____ Date</p> <p>_____ Clerk</p>
--	--

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____.

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$._____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Your Missouri Courts

Search for Cases by: [Judicial Links](#) | [eFiling](#) | [Help](#) | [Contact Us](#) | [Print](#)[GrantedPublicAccess](#) [Logoff MIKEDMAYES](#)

2022-CC09787 - DEBORAH BOSHANS V SAFECO INSURANCE COMPANY OF IL (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/Execution
-----------------------------	---	--------------------------------	--	-------------------------------------	-----------------------------	---	---------------------------------	--

[Click here to eFile on Case](#)Sort Date Entries: ☒ Descending

Display Options:

[Click here to Respond to Selected Documents](#)☐ Ascending

- | | | |
|------------|--------------------------|---|
| 11/10/2020 | <input type="checkbox"/> | Alias Summons Issued
Document ID: 20-SMCC-15570, for SAFECO INSURANCE COMPANY OF ILLINOIS. |
| 10/19/2020 | <input type="checkbox"/> | Alias Summons Requested
Alias Summons.
Filed By: DANIEL JOSEPH MARSH JR.
On Behalf Of: DEBORAH BOSHANS |
| 09/22/2020 | <input type="checkbox"/> | Jury Trial Scheduled
Scheduled For: 03/01/2021; 9:00 AM ; REX M BURLISON; City of St. Louis |
| 09/11/2020 | <input type="checkbox"/> | Summons Issued-Circuit
Document ID: 20-SMCC-13613, for SAFECO INSURANCE COMPANY OF ILLINOIS. |
| 09/08/2020 | <input type="checkbox"/> | Filing Info Sheet eFiling
Filed By: DANIEL JOSEPH MARSH JR. |
| | <input type="checkbox"/> | Pet Filed in Circuit Ct
PETITION.
Filed By: DANIEL JOSEPH MARSH JR.
On Behalf Of: DEBORAH BOSHANS |
| | <input type="checkbox"/> | Judge Assigned |

Case.net Version 5.14.12

[Return to Top of Page](#)

Released 11/10/2020